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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,154	09/10/2003	Chrestos T. Pyrros	3026 P 002	3726
26958	7590	04/28/2004	EXAMINER	
RICHARD C. HIMELHOCH 311 S. WACKER DRIVE 53RD FLOOR CHICAGO, IL 60606-6622			ZARROLI, MICHAEL C	
			ART UNIT	PAPER NUMBER
			2839	

DATE MAILED: 04/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/659,154	PYRROS, CHRESTOS T.
Examiner	Art Unit	
Michael C. Zarroli	2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 10 September 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 10 September 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received. \
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/12/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

Claim Objections

1. Claim 12 objected to because of the following informalities: The limitation that the multiplex receptacle is two sided on both sides of a wall adds patentable strength to the claims, yet is weakened by being in the preamble. Appropriate correction is required.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “single electrical cable connection...providing power” must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country, in public use, or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, 5-6 and, 8 rejected under 35 U.S.C. 102(b) as being clearly anticipated by King.

King discloses a multiplex electrical outlet receptacle comprising: a housing (fig. 9) containing a first electrical receptacle outlet, a second electrical receptacle outlet, a third electrical receptacle outlet, and a fourth electrical receptacle outlet (col. 5 line 46+ & fig. 10); a first tab extending from the top of the housing and a second tab extending from the bottom of the housing (fig. 9 near 16), the first and second tabs configured for connecting the housing to a permanently secured in-wall electrical box (col. 3 lines 64+); a single electrical cable connection on the housing, the single electrical cable connection providing a power supply for each of the first, second, third and fourth electrical receptacle outlets (claim lines 30-33).

Regarding claims 2-3 and, 5 King discloses fifth and sixth outlets (fig. 9).

Regarding claims 6 and, 8 King discloses that each of the first, second, third and fourth electrical outlets have a common positive line bus (34) and a common neutral line bus within the housing (34, col. 4 lines 16-18).

5. Claims 12-13 and, 15-20 rejected under 35 U.S.C. 102(b) as being clearly anticipated by French et al.

French discloses (figures 1 & 2) a two-sided multiplex electrical receptacle (44, 45) for providing wall mounted outlets on both sides of a wall (62) comprising: a receptacle housing having a first side and an opposing second side; a first receptacle outlet positioned on the first side of the housing; and a second receptacle outlet positioned on the second side of the housing (fig. 20).

Regarding claims 13 and, 16 French discloses third and fourth receptacle outlets on opposite sides (fig. 2).

Regarding claims 15 and, 17 French discloses that each of the first, second, third and fourth receptacle outlets are connected in common to a single cable carrying a source of electrical energy (fig. 4D).

Regarding claims 18-20 French discloses that a first mounting bracket (unnumbered screw holes in fig. 20) connected to the housing proximate the first side for engaging and securing the multiplex receptacle to an electrical junction box (10); and, a second mounting bracket (unnumbered screw holes in fig. 20)

connected to the housing proximate the second side for engaging and securing the multiplex receptacle to the electrical junction box.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 4 rejected under 35 U.S.C. 103(a) as being unpatentable over King as applied to claims 1-3 above, and further in view of case law.

King does not disclose additional (more than six) receptacle outlets.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add more receptacle outlets (say 7th and 8th), since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. St. Regis Paper Co. v. Bemis Co., 193 USPQ

8.

The motivation for this modification of King would be to increase the applicability of the King modular receptacle. There would be no overloading concerns in adding a 7th and 8th receptacle.

8. Claims 7 and 9-10 rejected under 35 U.S.C. 103(a) as being unpatentable over King as applied to claims 1 and 5-6 above, and further in view of Lee et al. King does not specifically disclose that the receptacle outlets have a common ground bus.

Lee discloses a common ground bus (fig. 1) for multiple receptacles.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to make the receptacles of King have a common ground bus as taught by Lee. The motivation/suggestion for doing so would have been to simplify construction. Additionally, a common grounding arrangement is very common in multi electrical receptacle devices. King also does not say that there is no common grounding arrangement for the receptacles.

9. Claim 11 rejected under 35 U.S.C. 103(a) as being unpatentable over King in view of Lee as applied to claim 10 above, and further in view of Admitted art Bagga.

King discloses the first receptacle positioned above the second (fig. 2). King does not disclose the arrangement of the receptacle openings recited in claim 11.

Bagga discloses that the third opening in the first receptacle outlet is positioned above the first opening and the second opening in the first receptacle outlet and the

third opening in the second receptacle outlet is positioned below the first opening and the second opening in the second receptacle outlet (fig. 4).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to rearrange the receptacle outlets of King like that of Bagga. The motivation/suggestion for doing so would have been to allow more room for the ground prong of the plug housing, which is typically bulging at an apex. In addition, it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70.

10. Claim 14 rejected under 35 U.S.C. 103(a) as being unpatentable over French et al as applied to claims 12-13 above, and further in view of case law.

French does not disclose fifth through eighth receptacle outlets.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to add more receptacle outlets to the junction device of French, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8. The motivation for these additions would be to increase the capacity of the modularity of French's arrangement; addition of more offices.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Zarroli whose telephone number is 571-272-2101. The examiner can normally be reached on 7:30 to 3:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Feild can be reached on (571) 272-2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael C. Zarroli
Primary Examiner
Art Unit 2839

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